

## **APPENDIX D**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, LLC, et al.,

Plaintiff,

v.

ADVANCED ENVIRONMENTAL  
TECHNOLOGY CORPORATION, et al.,

Defendants.

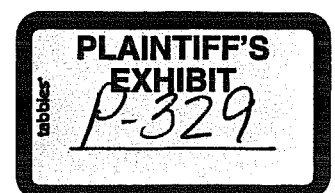
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CIVIL ACTION NO.  
02-cv-3830 (LDD)

**STIPULATION BETWEEN PLAINTIFFS AND  
HANDY & HARMAN TUBE COMPANY, INC.**

Plaintiffs and Handy & Harman Tube Company, Inc. ("H&H Tube") hereby stipulate and agree to the following in connection with the trial in this matter:

1. That one tank truck load of bulk waste comprised of spent acid consisting of 4,000 gallons went to the Boarhead Farm Superfund Site (the "Site") from H&H Tube.
2. That 4,158 gallons of drummed waste went to the Site from H&H Tube.
3. That the 4,158 gallons of drummed waste referred to in Stipulation #2 above, was comprised of one or more of the following types of waste:
  - A. Annual shutdown waste (generated during the cleaning of H&H Tube's machines and tools, consisting of mostly water, some sludge from around the machines and trace amounts of solvents)
  - B. Polisher wastes (consisting of mostly water and grit from the polishing belts with some ground metal particles mixed in)
  - C. Bottom sludges/still bottoms from the TCE degreaser (including spent TCE, lubricants, metal fines and solid impurities)



D. Small amounts of spent acetone and methyl ethyl ketone cleaning solvents used to clean tools

E. Lubricants contaminated with residual TCE from cleaning the dies and a small amount from the degreaser process

4. That P-111, dated February 5, 1973, is admitted into evidence.

5. That DeRewal Chemical Company hauled the following amounts of waste (in gallons) from the Plaintiff companies:

Plaintiff	Time Period	Volume
Ford	1/72-12/73	38,940
	12/1/73-6/30/75	
	7/1/75-6/1/76	
	6/1/76-3/30/77	
Cytec	1/72-12/73	
	12/1/73-6/30/75	193,000
	7/1/75-6/1/76	
	6/1/76-3/30/77	116,000
SPS	1/72-12/73	21,991
	12/1/73-6/30/75	24,475
	7/1/75-6/1/76	12,540
	6/1/76-3/30/77	12,431

BALLARD SPAHR ANDREWS  
& INGERSOLL, LLP

By: Amy Trojecki  
Glenn A. Harris  
Amy J. Trojecki

Dated: June 23, 2008

CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN

By: John M. Agnello  
Melissa E. Flax

Dated: June 23, 2008